




Speech By  
**Ann Leahy**

**MEMBER FOR WARREGO**

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Record of Proceedings, 21 April 2021

### **YOUTH JUSTICE AND OTHER LEGISLATION AMENDMENT BILL**

 **Ms LEAHY** (Warrego—LNP) (4.08 pm): I rise to contribute to the debate on the Youth Justice and Other Legislation Amendment Bill 2021. Recidivist youth offenders are not just a problem in the north of the state or in the metropolitan areas of the south-east. Unfortunately, this problem is rife in regional areas and my electorate of Warrego is not immune. In 2015 we saw the start of Annastacia Palaszczuk's Labor government's watering down of the youth justice laws in Queensland. As part of Labor's Youth Justice and Other Legislation Amendment Bill 2015, the state Labor government removed breach of bail as an offence for children. They reinstated the principle that detention should be the last resort and should be for the shortest appropriate period when sentencing a child. They also reinstated the principle that 'imprisonment is a sentence of last resort and a sentence that allows the offender to stay in the community is preferable.' That is a direct quote from the explanatory notes.

The problem of the recidivist youth offenders is a result of this Labor government's watering down of the law on youth offenders. This is what we read about in our communities, and I will read the headlines from the local publications: 'Roma cops charge multiple teens for alleged theft, break-ins'; 'New Roma business struck 3 times by crims, cost owners thousands'; 'Crime Spree: Four southwest teens charged over 14 break-ins'; 'Kid returns reportedly stolen phone, dealt with by cops'; 'Three teens allegedly steal three cars, two motorbikes'; 'Dalby teen arrested for allegedly abusing police'; 'Kid allegedly chases person down Roma street with knife'; 'Teen accused of stabbing man in chest will front a judge'; 'Teen charged for alleged car thefts, joy rides in Dalby'; 'Child Gang is accused of stealing teens mobile, cash'; 'Oldies loath to venture out with thieving the new normal'. That is just this year. I commend the journalists Sam Turner, Georgie Adams and Lachlan Berlin on their reporting of these articles. It helps to tell the story of what has gone so horribly wrong under Annastacia Palaszczuk's Labor government.

All too often I have elderly residents on the phone telling me they are scared to leave their homes. Local businesses have written to me disgusted by the youth behaviour and offending. Parents of children who have been allegedly assaulted by other children in broad daylight are devastated by what is happening in once safe communities. I cannot count the number of times I have been told of youths stealing cars and joyriding in them for hundreds of kilometres endangering other road users.

There are multiple reports of break and enters, children not attending school and children terrorising shopkeepers and staff. Businesses are sick of this recidivist youth offending, parents are sick of it and communities are sick of it. We did not have this degree of problem prior to 2015, prior to Annastacia Palaszczuk's Labor government watering down the youth justice laws in Queensland. This Labor government has been forced into this legislation we are debating today—forced by a growing public perception that its policies were contributing to the lawlessness threatening public safety in communities across the state.

Unfortunately, I fear that this legislation before the House will fail these communities and the hardworking everyday Queenslanders and their families. The LNP will not oppose this bill. However, we do have serious concerns regarding the effectiveness of these changes in addressing the current

long-term youth crime problem in the state. Hence why the LNP opposition's call for an amendment to section 29 of the Bail Act is simple: we believe that the provisions of the Bail Act should apply equally to adults and children. At the present time, by virtue of section 29(2)(a) of the Bail Act, children are precluded. That of course has meant that we have juvenile offenders running around the state and our communities committing offences at will, disregarding the conditions of their bail undertaking and thumbing their noses at the law and the police. Breaching your bail undertaking should be an offence, and if those opposite are serious about addressing the youth crime problem in Queensland they will support this amendment.

This is also evidenced by the submitters and witnesses during the committee hearings on this bill. The government has ignored the need for the provisions of the Bail Act as they relate to bail to apply to juvenile offenders. One only has to read the testimony of Mr Brett Geiszler at the Townsville hearing. Here we have a former police officer who, in his own words, said—

Breach of bail needs to be restored as a criminal offence immediately, and it needs to be a serious criminal offence that carries incarceration. We are not talking about kids who have not been given a chance. As a police officer, I cautioned kids time and time again before I went to a power of arrest. Once they go before the court, they are then admonished and discharged once, twice or maybe three or four times before even a conviction is recorded. Then we start the process of, 'Okay, now we have a conviction,' and some of the more serious matters like presumption against bail can even start to apply. This legislation goes nowhere near far enough to making our community safe because the police right now know these offenders are out on the streets. They know the recidivist offenders.

The question for the Labor government is why must we wait for more people to be hurt, for more lives to be lost, for more stolen cars to be driven at high speed on our roads endangering innocent people in our communities and for more robberies before there is even the slightest chance that there will be a presumption against bail or the use of GPS tracking if bail is granted. When it comes to the GPS tracking bracelets, there are more questions than answers. I do welcome the trial; however, I question how effective this will be in its current form.

Let us not forget that the cohort responsible for the majority of crime in this state—the 15-year-olds—are not included in this trial and therefore will not be eligible for GPS tracking. Perhaps the most concerning aspect of this particular section is the seriousness of the crime the offender is charged with prior to being eligible for GPS tracking. Will those who have a bracelet and cut it off receive a penalty? I can see that some of them will actually find a way to do that. Unlike adult offenders, there is no offence committed if these juvenile offenders cut their bracelets off, and I think they will try to do that. We are not dealing with people who have just gone in on one occasion. Some of these are hardened, recidivist youth offenders. Will these trackers be monitored in real time? The Labor government clearly has a lot more work to do to make these trackers effective on recidivist youth offenders. There is a long way to go to address this complex problem to meet community expectations.